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12 GLAXOSMITHKLINE and McKESSON  
13 CORPORATION

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN FRANCISCO DIVISION

17 MOHINDER KHANNA

18 Plaintiff,

19 v.  
20 SMITHKLINE BEECHAM  
21 CORPORATION d/b/a  
22 GLAXOSMITHKLINE, McKESSON  
23 PHARMACY SYSTEMS, and DOES ONE  
24 through FIFTEEN, inclusive,

25 Defendants.

26 Case No. CV-08-1131 MHP

27 **NOTICE OF FILING  
NOTICE OF HEARING SESSION  
BEFORE THE JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION**

28 TO THIS HONORABLE COURT AND ALL PARTIES AND THEIR COUNSEL OF  
RECORD:

PLEASE TAKE NOTICE that on May 29, 2008, Plaintiff's Opposition to  
Conditional Transfer Order No. 11 is set to be ruled upon without oral argument by the  
Judicial Panel on Multidistrict Litigation for inclusion in the Multidistrict Litigation *In re  
Avandia Marketing, Sales Practices and Products Liability Litigation*, MDL 1871 before  
the Honorable Cynthia M. Rufe of the United States District Court for the Eastern

1 District of Pennsylvania. See Notice of Hearing Session attached hereto as Exhibit A, p.  
2 21.

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4 Respectfully submitted,

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7 Dated: May 23, 2008

DRINKER BIDDLE & REATH LLP

8  
9 /s/ Krista L. Cosner  
KRISTA L. COSNER

10 Attorneys for Defendants  
11 SMITHKLINE BEECHAM  
12 CORPORATION d/b/a  
13 GLAXOSMITHKLINE and McKESSON  
14 CORPORATION

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DRINKER BIDDLE & REATH LLP  
50 Fremont Street, 20th Floor  
San Francisco, CA 94105

# **EXHIBIT A**

UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION

**CHAIRMAN:**  
Judge John G. Heyburn II  
United States District Court  
Western District of Kentucky

**MEMBERS:**  
Judge D. Lowell Jensen  
United States District Court  
Northern District of California

Judge Kathryn H. Vratil  
United States District Court  
District of Kansas

Judge J. Frederick Motz  
United States District Court  
District of Maryland

Judge David R. Hansen  
United States Court of Appeals  
Eighth Circuit

Judge Robert L. Miller, Jr.  
United States District Court  
Northern District of Indiana

Judge Anthony J. Scirica  
United States Court of Appeals  
Third Circuit

**DIRECT REPLY TO:**

Jeffery N. Lüthi  
Clerk of the Panel  
One Columbus Circle, NE  
Thurgood Marshall Federal  
Judiciary Building  
Room G-255, North Lobby  
Washington, D.C. 20002

Telephone: [202] 502-2800  
Fax: [202] 502-2888  
<http://www.jpmi.uscourts.gov>

April 24, 2008

NOTICE OF HEARING SESSION

Dear Counsel:

Pursuant to the order of the Judicial Panel on Multidistrict Litigation filed today, you are hereby notified that a hearing session has been scheduled to consider various matters pursuant to 28 U.S.C. § 1407.

**DATE OF HEARING SESSION:** May 29, 2008

**LOCATION OF HEARING SESSION:** United States Courthouse  
Courtroom No. 1, Third Floor  
100 Otis Street  
Asheville, North Carolina 28801

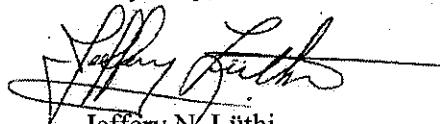
**TIME OF HEARING SESSION:** In those matters designated for oral argument, counsel presenting oral argument must be present at 8:30 a.m. in order for the Panel to allocate the amount of time for oral argument. Oral argument will commence at 9:30 a.m.

Please direct your attention to the enclosed Hearing Session Order and Schedule of Matters for Hearing Session for a listing of the matters scheduled for consideration at this hearing session.

- Section A of this Schedule lists the matters designated for oral argument.
- Section B of this Schedule lists the matters that the Panel has determined to consider **without oral argument**, pursuant to Rule 16.1(c), R.P.J.P.M.L., 199 F.R.D. 425, 439 (2001).

For those matters listed on Section A of the Schedule, the enclosed blue "Notice of Presentation or Waiver of Oral Argument" must be returned to this office no later than **May 12, 2008**. Note the procedures governing Panel oral argument which are outlined on the enclosed "Procedures for Oral Argument before the Judicial Panel on Multidistrict Litigation." These procedures are strictly adhered to and your cooperation is appreciated.

Very truly,



Jeffery N. Lüthi  
Clerk of the Panel

cc: Clerk, U.S. District Court for the Western District of North Carolina

UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

Apr 24, 2008

FILED  
CLERK'S OFFICE

UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION

HEARING SESSION ORDER

The Panel issues the following orders in connection with its next hearing session,

IT IS ORDERED that on May 29, 2008, the Panel will convene a hearing session in Asheville, North Carolina, to consider the matters on the attached Schedule under 28 U.S.C. § 1407.

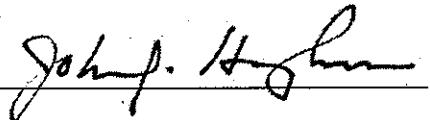
IT IS FURTHER ORDERED that the Panel may, on its own initiative, consider transfer of any or all of the actions in those matters to any district or districts.

IT IS FURTHER ORDERED that the Panel will hear oral argument on the matters listed on Section A of the attached Schedule, unless the parties waive oral argument or unless the Panel later decides to dispense with oral argument pursuant to Panel Rule 16.1(c), R.P.J.P.M.L., 199 F.R.D. 425, 439 (2001).

IT IS FURTHER ORDERED that the Panel will consider without oral argument the matters listed on Section B of the attached Schedule pursuant to Panel Rule 16.1(c). *Id.* The Panel reserves the prerogative, on any basis including submissions of parties pursuant to Panel Rule 16.1(b), to designate any of those matters for oral argument. *Id.*

IT IS FURTHER ORDERED that the Clerk of the Judicial Panel on Multidistrict Litigation shall direct notice of this hearing session to counsel for all parties involved in the matters on the attached Schedule.

PANEL ON MULTIDISTRICT LITIGATION:



John G. Heyburn II  
Chairman

D. Lowell Jensen	J. Frederick Motz
Robert L. Miller, Jr.	Kathryn H. Vratil
David R. Hansen	Anthony J. Scirica

SCHEDULE OF MATTERS FOR HEARING SESSION  
May 29, 2008 -- Asheville, North Carolina

**SECTION A**  
**MATTERS DESIGNATED FOR ORAL ARGUMENT**

**MDL No. 1941 -- IN RE: ALFUZOSIN HYDROCHLORIDE PATENT LITIGATION**

Motion of plaintiffs sanofi-aventis, et al., for centralization of the following actions in the United States District Court for the District of Delaware:

District of Delaware

sanofi-aventis, et al. v. Actavis South Atlantic, LLC, et al., C.A. No. 1:07-572  
sanofi-aventis, et al. v. Barr Laboratories, Inc., C.A. No. 1:07-574  
sanofi-aventis, et al. v. Apotex, Inc., et al., C.A. No. 1:07-792

Southern District of Florida

sanofi-aventis, et al. v. Apotex, Inc., et al., C.A. No. 0:07-61800

**MDL No. 1942 -- IN RE: FLAT GLASS ANTITRUST LITIGATION (NO. II)**

Motion of plaintiffs John Draper, etc., and Colonial Glass Solutions for centralization of certain of the following actions in the United States District Court for the Eastern District of Pennsylvania; motion of plaintiff Gilkey Window Co., Inc., for centralization of certain of the following actions in the United States District Court for the Western District of Pennsylvania; motion of plaintiff Diversified Glass Services, Inc., for centralization of certain of the following actions in the United States District of Court for the Southern District of New York or, in the alternative, the United States District Court for the Eastern District of Pennsylvania; and motion of plaintiff Head West, Inc., for centralization of the following actions in the United States District Court for the Central District of California:

Central District of California

Head West, Inc. v. Guardian Industries Corp., et al., C.A. No. 2:08-1765

Schedule of Matters for Hearing Session, Section A  
Asheville, North Carolina

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MDL No. 1942 (Continued)

Eastern District of Michigan

Burhans Glass Co., Inc. v. Guardian Industries Corp., et al., C.A. No. 2:08-10415

Southern District of New York

Diversified Glass Services, Inc. v. Pilkington North America, Inc., et al.,  
C.A. No. 1:08-903

Northern District of Ohio

Perilstein Glass Corp. v. Asahi Glass Co., Ltd., et al., C.A. No. 3:08-257

Eastern District of Pennsylvania

John Draper, etc. v. Guardian Industries Corp., et al., C.A. No. 2:07-5223  
Jackson Glass Co., Inc. v. Guardian Industries Corp., et al., C.A. No. 2:08-438  
Colonial Glass Solutions v. Guardian Industries Corp., et al., C.A. No. 2:08-478  
Wally's Glass Service, Inc. v. Guardian Industries Corp., et al., C.A. No. 2:08-730  
J. Steve Woodard, etc. v. Guardian Industries Corp., et al., C.A. No. 2:08-956

Western District of Pennsylvania

Gilkey Window Co., Inc. v. Guardian Industries Corp., et al., C.A. No. 2:08-139  
Maran-Wurzell Glass & Mirror v. Asahi Glass Co., Ltd., et al., C.A. No. 2:08-175  
D&S Glass Services, Inc. v. Asahi Glass Co., Ltd., et al., C.A. No. 2:08-179  
E&G Auto Parts, Inc. v. Asahi Glass Co., Ltd., et al., C.A. No. 2:08-194  
Superior Glass, Inc. v. Asahi Glass Co., Ltd., et al., C.A. No. 2:08-198  
Frank's Glass, Inc. v. Guardian Industries Corp., et al., C.A. No. 2:08-202  
Greenwood Glass Co. v. Guardian Industries Corp., et al., C.A. No. 2:08-223  
Public Supply Co. v. Asahi Glass Co., Ltd., et al., C.A. No. 2:08-240  
Raymond's Glass, Inc. v. Asahi Glass Co., Ltd., et al., C.A. No. 2:08-257  
Bailes Granite & Marble v. PPG Industries, Inc., et al., C.A. No. 2:08-282  
Thermo-Twin Industries, Inc. v. Asahi Glass Co., Ltd., et al., C.A. No. 2:08-359

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**MDL No. 1943 -- IN RE: LEVAQUIN PRODUCTS LIABILITY LITIGATION**

Motion of plaintiffs Donald Roxenberg; Charles Epperson; Lorraine Poirier; Jillian Fisher; Ida Almeida, et al.; William Voss, et al.; Burton Griner; Anne Beardsley; Richard Kirkes, et al.; Victoria Parr; Calvin Christensen, et al.; Aline Shaffer; William Cottle; and Carlton J. Zeiler for centralization of the following actions in the United States District Court for the District of Minnesota:

Southern District of Florida

Donald Roxenberg v. Johnson & Johnson, et al., C.A. No. 9:08-80104

Southern District of Indiana

Charles Epperson v. Johnson & Johnson, et al., C.A. No. 1:07-1640

Eastern District of Louisiana

Carolyn A. Brumfield v. Ortho-McNeil Pharmaceutical, Inc., et al., C.A. No. 2:07-7749

District of Maine

Lorraine Poirier v. Johnson & Johnson, et al., C.A. No. 2:08-9

District of Massachusetts

Jillian Fisher v. Johnson & Johnson, et al., C.A. No. 1:08-10179

Ida Almeida, et al. v. Johnson & Johnson, et al., C.A. No. 1:08-10217

District of Minnesota

William Voss, et al. v. Johnson & Johnson, et al., C.A. No. 0:06-3728

Burton Griner v. Johnson & Johnson, et al., C.A. No. 0:07-1584

Anne Beardsley v. Johnson & Johnson, et al., C.A. No. 0:07-1661

Richard Kirkes, et al. v. Johnson & Johnson, et al., C.A. No. 0:07-1862

Victoria Parr v. Johnson & Johnson, et al., C.A. No. 0:07-2999

Calvin Christensen, et al. v. Johnson & Johnson, et al., C.A. No. 0:07-3960

Aline Shaffer v. Johnson & Johnson, et al., C.A. No. 0:07-4617

William Cottle v. Johnson & Johnson, et al., C.A. No. 0:08-277

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MDL No. 1943 (Continued)

Eastern District of Wisconsin

Carlton J. Zeiler v. Johnson & Johnson, et al., C.A. No. 2:08-40

**MDL No. 1945 -- IN RE: STATE STREET BANK AND TRUST CO. FIXED INCOME FUNDS INVESTMENT LITIGATION.**

Motion of defendants State Street Bank & Trust Co., and State Street Global Advisors, Inc., for centralization of the following actions in the United States District Court for the District of Massachusetts:

Southern District of New York

In re State Street Bank & Trust Co. ERISA Litigation, C.A. No. 1:07-8488  
Unisystems, Inc. Employees Profit Sharing Plan, et al. v. State Street Bank & Trust Co., et al., C.A. No. 1:07-9319

The Andover Companies Employees Savings & Profit Sharing Plan, et al. v. State Street Bank & Trust Co., et al., C.A. No. 1:07-9687

Nashua Corp. Pension Plan Committee, et al. v. State Street Bank & Trust Co., et al., C.A. No. 1:08-265

Southern District of Texas

Memorial Hermann Health Care System, et al. v. State Street Bank & Trust Co., et al., C.A. No. 4:07-4089

Houston Police Officers Pension System v. State Street Bank & Trust Co., et al., C.A. No. 4:08-333

Schedule of Matters for Hearing Session, Section A  
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**MDL No. 1946 -- IN RE: BP PRODUCTS NORTH AMERICA, INC., ANTITRUST LITIGATION (NO. II)**

Motion of defendant BP Products North America, Inc., for centralization of the following actions in the United States District Court for the Northern District of Illinois:

Northern District of Illinois

Richard Dennison, et al. v. BP Products North America, Inc., et al., C.A. No. 1:06-3541  
Donald Terry, et al. v. BP Products North America, Inc., C.A. No. 1:06-3551  
Myles Levin v. BP Products North America, Inc., C.A. No. 1:06-3570  
Schagringas Co., et al. v. BP Products North America, Inc., et al., C.A. No. 1:06-3621  
Michael Withum v. BP Products North America, Inc., C.A. No. 1:06-3744  
Deborah Cassells, et al. v. BP Products North America, Inc., et al., C.A. No. 1:06-3837  
Gregory Sydor v. BP Products North America, Inc., C.A. No. 1:06-4188  
Kurt Nebel v. BP Products North America, Inc., et al., C.A. No. 1:06-4363  
H. Steven Plaut, et al. v. BP Products North America, Inc., et al., C.A. No. 1:06-4577  
Donald Mowers v. BP Products North America, Inc., C.A. No. 1:06-4680  
Drew Halpern v. BP Products North America, Inc., et al., C.A. No. 1:06-4736  
Scott Meharg v. BP Products North American, Inc., et al., C.A. No. 1:06-5293  
Craig Ridgway v. BP Products North America, Inc., C.A. No. 1:06-6108  
Anita White v. BP Products North America, Inc., C.A. No. 1:06-6994  
David Guin v. BP Products North America, Inc., C.A. No. 1:07-3531  
Amerigas Propane, L.P., et al. v. BP North America, Inc., et al., C.A. No. 1:08-981

Southern District of Texas

KOCH Supply & Trading, L.P. v. BP Products North America, Inc., C.A. No. 4:08-377

**MDL No. 1947 -- IN RE: MAKE-UP ART COSMETICS (M.A.C.) FAIR AND ACCURATE CREDIT TRANSACTIONS ACT (FACTA) LITIGATION**

Motion of defendants Make-up Art Cosmetics (U.S.), Inc.; Make-up Art Cosmetics (New York), Inc.; M.A.C. Cosmetics, Inc.; and Make-up Art Cosmetics, Inc., for centralization of the following actions in the United States District Court for the Central District of California:

Central District of California

Natalie Dye v. Make-up Art Cosmetics (U.S.), Inc., C.A. No. 2:07-2095  
Shu Shu Sadrieh v. M.A.C. Cosmetics, Inc., et al., C.A. No. 2:07-2205

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MDL No. 1947 (Continued)

Northern District of Illinois

Karin Dudzienski v. Make-up Art Cosmetics (U.S.), Inc., et al., C.A. No. 1:07-3812

**MDL No. 1948 -- IN RE: VTRAN MEDIA TECHNOLOGIES, LLC, PATENT  
LITIGATION**

Motion of defendants Comcast Corp.; Charter Communications, Inc.; Time Warner Cable, Inc.; Suddenlink Communications; Bright House Networks, LLC; Knology, Inc.; Mediacom Communications Corp.; Atlantic Broadband; Metrocast Cablevision of New Hampshire, LLC; Armstrong Utilities, Inc.; Blue Ridge Communications, Inc.; RCN Corp.; Service Electric Television, Inc.; Buckeye Cablevision, Inc.; Massillon Cable TV, Inc.; and WideOpenWest Holdings, LLC, for centralization of the following actions in the United States District Court for the Northern District of Ohio or, in the alternative, the United States District Court for the Eastern District of Pennsylvania:

Northern District of Alabama

VTran Media Technologies, LLC v. Bright House Networks, LLC, et al.,  
C.A. No. 5:08-180

Northern District of Georgia

VTran Media Technologies, LLC v. Cox Communications, Inc., C.A. No. 1:08-471

Northern District of New York

VTran Media Technologies, LLC v. Mid-Hudson Cabelvision, Inc., C.A. No. 1:08-248

Southern District of New York

VTran Media Technologies, LLC v. Bresnan Communications, LLC, et al.,  
C.A. No. 1:08-1641

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MDL No. 1948 (Continued)

District of North Dakota

VTran Media Technologies, LLC v. Midcontinent Communications, C.A. No. 3:08-22

Northern District of Ohio

VTran Media Technologies, LLC v. Armstrong Utilities, Inc., et al., C.A. No. 1:08-371

Eastern District of Pennsylvania

VTran Media Technologies, LLC v. Armstrong Utilities, Inc., et al., C.A. No. 2:08-477

Middle District of Pennsylvania

VTran Media Technologies, LLC v. Atlantic Broadband Finance, LLC, et al.,  
C.A. No. 1:08-200

Eastern District of Texas

VTran Media Technologies, LLC v. Comcast Corp., et al., C.A. No. 2:07-457

VTran Media Technologies, LLC v. Cebridge Acquisition, L.P., C.A. No. 2:08-28

**MDL No. 1949 -- IN RE: ROSUVASTATIN CALCIUM PATENT LITIGATION**

Motion of AstraZeneca Pharmaceuticals LP; AstraZeneca UK Limited; IPR Pharmaceuticals, Inc.; and Shionogi Seiyaku Kabushiki Kaisha for centralization of the following actions in the United States District Court for the District of Delaware:

District of Delaware

AstraZeneca Pharmaceuticals, LP, et al. v. Mylan Pharmaceuticals, Inc.,  
C.A. No. 1:07-805

AstraZeneca Pharmaceuticals, LP, et al. v. Sun Pharmaceutical Industries, Ltd., et al.,  
C.A. No. 1:07-806

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MDL No. 1949 (Continued)

District of Delaware (Continued)

AstraZeneca Pharmaceuticals, LP, et al. v. Sandoz, Inc., C.A. No. 1:07-807  
AstraZeneca Pharmaceuticals, LP, et al. v. Par Pharmaceutical, Inc., C.A. No. 1:07-808  
AstraZeneca Pharmaceuticals, LP, et al. v. Apotex, Inc., et al., C.A. No. 1:07-809  
AstraZeneca Pharmaceuticals, LP, et al. v. Aurobindo Pharma Ltd., et al.,  
C.A. No. 1:07-810  
AstraZeneca Pharmaceuticals, LP, et al. v. Cobalt Pharmaceuticals, Inc., et al.,  
C.A. No. 1:07-811

Middle District of Florida

Apotex, Inc. v. AstraZeneca Pharmaceuticals, LP, et al., C.A. No. 8:08-213

District of New Jersey

AstraZeneca Pharmaceuticals, LP, et al. v. Aurobindo Pharma Ltd., et al.,  
C.A. No. 3:07-6020

**MDL No. 1950 -- IN RE: MUNICIPAL DERIVATIVES ANTITRUST LITIGATION**

Motion of plaintiff Fairfax County, Virginia, for centralization of the following actions in  
the United States District Court for the District of Columbia:

District of District of Columbia

Fairfax County, Virginia, et al. v. Packerkiss Securities, Inc., et al., C.A. No. 1:08-432  
Fairfax County, Virginia, et al. v. Bank of America, C.A. No. 1:08-433

Southern District of New York

Hinds County, Mississippi v. Wachovia Bank, N.A., et al., C.A. No. 1:08-2516

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**MDL No. 1951 -- IN RE: TITLE INSURANCE REAL ESTATE SETTLEMENT  
PROCEDURES ACT (RESPA) & ANTITRUST LITIGATION**

Motion of plaintiffs Gerry Galiano; Gary Kromer, et al.; and Susan M. Marotta for centralization of the following actions in the United States District Court for the Southern District of New York:

Northern District of California

Lynn Barton v. Fidelity National Financial, Inc., et al., C.A. No. 3:08-1341  
Lisa Gentilcore v. Fidelity National Financial, Inc., et al., C.A. No. 3:08-1374

District of Massachusetts

Lucien Gougeon v. Chicago Title Insurance Co., et al., C.A. No. 1:08-10402

Eastern District of New York

Brendan Dolan, et al. v. Fidelity National Title Insurance Co., et al., C.A. No. 2:08-466  
MBSF Alabama LLC v. Fidelity National Title Insurance Co., et al., C.A. No. 2:08-528  
Joseph Ragusa, et al. v. Fidelity National Title Insurance Co., et al., C.A. No. 2:08-640  
Marshall Cook v. Fidelity National Title Insurance Co., et al., C.A. No. 2:08-731  
Douglas Brown, et al. v. Fidelity National Title Insurance Co., et al., C.A. No. 2:08-744  
Alex Wintner v. Chicago Title Insurance Co., et al., C.A. No. 2:08-764  
Tuttnauer USA Co., Ltd. v. Fidelity National Title Insurance Co., et al.,  
C.A. No. 2:08-817  
Lawrence Fisher v. Title Insurance Rate Service Association, Inc., et al.,  
C.A. No. 2:08-1004  
Rigoberto Capellan v. Fidelity National Title Insurance Co., et al., C.A. No. 2:08-1029  
Valerio Gonzalez, et al. v. Fidelity National Title Insurance Co., et al.,  
C.A. No. 2:08-1030

Southern District of New York

Michael Martinucci v. Fidelity National Title Insurance Co., et al., C.A. No. 1:08-1644  
Gerry Galiano v. Fidelity National Title Insurance Co., et al., C.A. No. 7:08-1317  
Gary Kromer, et al. v. Fidelity National Title Insurance Co., et al., C.A. No. 7:08-1494  
Peter Miley v. Fidelity National Title Insurance Co., et al., C.A. No. 7:08-1547  
Susan M. Marotta v. Fidelity National Title Insurance Co., et al., C.A. No. 7:08-1597  
Vincent Trulli, Jr. v. Fidelity National Title Insurance Co., et al., C.A. No. 7:08-1729

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MDL No. 1951 (Continued)

Southern District of New York (Continued)

Leyden Rosa Rovelo v. Fidelity National Title Insurance Co., et al., C.A. No. 7:08-1830  
Sean L. Suarez v. Fidelity National Title Insurance Co., et al., C.A. No. 7:08-1955

Eastern District of Pennsylvania

Barbara B. Holt v. Fidelity National Title Insurance Co., et al., C.A. No. 2:08-1202  
Marc Waterman v. Fidelity National Title Insurance Co., et al., C.A. No. 2:08-1263

Western District of Washington

Timothy Lubic v. Fidelity National Financial, Inc., et al., C.A. No. 2:08-401  
Dawn T. Sorensen v. Fidelity National Financial, Inc., et al., C.A. No. 2:08-412

**MDL No. 1952 -- IN RE: PACKAGED ICE ANTITRUST LITIGATION**

Motion of plaintiff Chi-Mar Enterprises, Inc., for centralization of certain of the following actions in the United States District Court for the Northern District of Ohio or, in the alternative, the United States District Court for the Eastern District of Michigan; motion of plaintiffs Ridge Plaza, Inc.; The Baron Group, Inc., etc.; Solid Waste, Ltd., etc.; Thrifty Liquor, Inc.; and Silver Springs Liquor, Inc., for centralization of certain of the following actions in the United States District Court for the District of Minnesota; motion of plaintiff Rodney Blasingame for centralization of certain of the following actions in the United States District Court for the Northern District of Texas; motion of plaintiff Elite Energy, LLC, for centralization of certain of the following actions in the United States District Court for the Eastern District of Michigan; and motion of plaintiff Mall Mart, Inc., for centralization of the following actions in the United States District Court for the District of Minnesota:

Northern District of California

Marin Scotty's Market, Inc. v. Reddy Ice Holdings, Inc., et al., C.A. No. 3:08-1486

Schedule of Matters for Hearing Session, Section A  
Asheville, North Carolina

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MDL No. 1952 (Continued)

Southern District of California

Jan Barranco-Grams v. Reddy Ice Holdings, Inc., et al., C.A. No. 3:08-539

District of Kansas

Jenifer Valencia v. Arctic Glacier Income Fund, et al., C.A. No. 2:08-2138

Eastern District of Michigan

F&V Oil Co., Inc., et al. v. Reddy Ice Holdings, Inc., et al., C.A. No. 2:08-11152  
S&S Lima, Inc., etc. v. Reddy Ice Holdings, Inc., et al., C.A. No. 2:08-11182  
Silver Springs Liquor, Inc. v. Reddy Ice Holdings, Inc., et al., C.A. No. 2:08-11200  
Elite Energy, LLC v. Arctic Glacier Income Fund, et al., C.A. No. 2:08-11201  
Melrick, Inc., etc. v. Reddy Ice Holdings, Inc., et al., C.A. No. 2:08-11204  
RSB Wellman Co., Inc., etc. v. Reddy Ice Holdings, Inc., et al., C.A. No. 2:08-11213  
Joseph Krainc, etc. v. Reddy Ice Holdings, Inc., et al., C.A. No. 2:08-11238  
Mazel LLC v. Reddy Ice Holdings, Inc., et al., C.A. No. 2:08-11315  
Y&R's, Inc. v. Reddy Ice Holdings, Inc., et al., C.A. No. 2:08-11316  
Linco Distributing Co., Inc., etc. v. Reddy Ice Holdings, Inc., et al., C.A. No. 2:08-11330  
823 Sproul Inc., etc. v. Reddy Ice Holdings, Inc., et al., C.A. No. 2:08-11345  
Circle Beer & Beverage, Inc., etc. v. Reddy Ice Holdings, Inc., et al.,  
C.A. No. 5:08-11293

District of Minnesota

Ridge Plaza, Inc. v. Reddy Ice Holdings, Inc., et al., C.A. No. 0:08-657  
Mall Mart, Inc., etc. v. Arctic Glacier Income Fund, et al., C.A. No. 0:08-663  
The Baron Group, Inc., etc. v. Reddy Ice Holdings, Inc., et al., C.A. No. 0:08-670  
Kozak Enterprises, Inc. v. Arctic Glacier Income Fund, et al., C.A. No. 0:08-704  
Solid Waste, Ltd., etc. v. Reddy Ice Holdings, Inc., et al., C.A. No. 0:08-713  
Thrifty Liquor, Inc. v. Reddy Ice Holdings, Inc., et al., C.A. No. 0:08-777  
Chukrid Khorchid, etc. v. Arctic Glacier Income Fund, et al., C.A. No. 0:08-809  
G.M. Food & Fuel, LLC, etc. v. Reddy Ice Holdings, Inc., et al., C.A. No. 0:08-826  
Public Foods, Inc., et al. v. Reddy Ice Holdings, Inc., et al., C.A. No. 0:08-862  
Thomas Beverage Co., Inc., etc. v. Arctic Glacier Income Fund, et al., C.A. No. 0:08-863

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MDL No. 1952 (Continued)

Northern District of Ohio

Chi-Mar Enterprises, Inc. v. Reddy Ice Holdings, Inc. et al., C.A. No. 1:08-657  
Fu-Wah Mini Market v. Reddy Ice Holdings, Inc., et al., C.A. No. 1:08-666  
Warrington Fuels, Inc. v. Reddy Ice Holdings, Inc., et al., C.A. No. 1:08-692  
Marchbanks Travel Service, Inc., etc. v. Reddy Ice Corp., et al., C.A. No. 1:08-695

Southern District of Ohio

Champs Liquors, Inc. v. Reddy Ice Holdings, Inc., et al., C.A. No. 1:08-179

Northern District of Texas

Five Angels Management, etc. v. Arctic Glacier Income Fund, et al., C.A. No. 3:08-480  
Joseph Massino v. Arctic Glacier Income Fund, et al., C.A. No. 3:08-496  
Rodney Blasingame v. Reddy Ice Holdings, Inc., et al., C.A. No. 3:08-498  
Ethamma Emmanuel, etc. v. Arctic Glacier Income Fund, et al., C.A. No. 3:08-507  
Joseph Difabritis 7-11 Food Store #24428 v. Reddy Ice Holdings, Inc., et al.,  
C.A. No. 3:08-512  
Rick Drontle, etc. v. Arctic Glacier Income Fund, et al., C.A. No. 3:08-536  
Wilson Farms, Inc. v. Reddy Ice Holding, Inc., et al., C.A. No. 3:08-537

**MDL No. 1953 -- IN RE: HEPARIN PRODUCTS LIABILITY LITIGATION**

Motion of plaintiff David D'Amico for centralization of the following actions in the  
United States District Court for the Southern District of Florida:

Southern District of Florida

David D'Amico v. Baxter Healthcare Corp., et al., C.A. No. 9:08-80311

Northern District of Ohio

Leroy Hubley, etc. v. Baxter Healthcare Corp., et al., C.A. No. 3:08-377

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MDL No. 1953 (Continued)

District of Puerto Rico

Esther S. Rivera v. Baxter International, Inc., et al., C.A. No. 3:08-1368

**MDL No. 1954 -- IN RE: HANNAFORD BROS. CO. CUSTOMER DATA SECURITY BREACH LITIGATION**

Motion of plaintiffs Christopher L. Grittani and Gail Wyman for centralization of the following actions in the United States District Court for the District of Maine:

Middle District of Florida

Jerzy Dobryniewski v. Delhaize America, Inc., et al., C.A. No. 2:08-235

David Hurd v. Delhaize America, Inc., et al., C.A. No. 2:08-261

Jackie Zumba v. Hannaford Bros. Co. et al., C.A. No. 8:08-565

District of Maine

Melinda J. Ryan, et al. v. Delhaize America, Inc., et al., C.A. No. 1:08-86

Greg Doherty v. Hannaford Bros. Co., C.A. No. 2:08-89

Kathleen Wheeler v. Hannaford Bros. Co., C.A. No. 2:08-91

Brian Bradbury v. Delhaize America, Inc., et al., C.A. No. 2:08-93

Sam Micalizzi v. Delhaize America, Inc., et al., C.A. No. 2:08-94

Leonard Assner, et al. v. Hannaford Bros. Co., et al., C.A. No. 2:08-95

Marjorie Fischer, et al. v. Hannaford Bros. Co., C.A. No. 2:08-98

Christine Tushin v. Hannaford Bros. Co., C.A. No. 2:08-103

U. Nekol Pyle v. Hannaford Bros. Co., C.A. No. 2:08-104

Christopher L. Grittani v. Hannaford Bros. Co., et al., C.A. No. 2:08-110

Gail Wyman v. Hannaford Bros. Co., et al., C.A. No. 2:08-111

Steve Termine v. Hannaford Bros. Co., et al., C.A. No. 2:08-112

District of New Hampshire

Arline Nenni, et al. v. Hannaford Bros. Co., C.A. No. 1:08-106

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MDL No. 1954 (Continued)

Northern District of New York

Todd Stevens v. Hannaford Bros. Co., et al., C.A. No. 1:08-341

**MDL No. 1955 -- IN RE: ORLEANS HOMEBUILDERS, INC., FAIR LABOR  
STANDARDS ACT LITIGATION**

Motion of defendants Orleans Homebuilders, Inc., and OHB Homes, Inc., for centralization of the following actions in the United States District Court for the Eastern District of Pennsylvania:

District of New Jersey

Ann Donahue, et al. v. Orleans Home Builders, Inc., et al., C.A. No. 1:08-661

Eastern District of Pennsylvania

Pamela Warner v. Orleans Home Builders, Inc., et al., C.A. No. 2:08-260

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**SECTION B**  
**MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT**

**MDL No. 381 -- IN RE: "AGENT ORANGE" PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiffs Marie Hansen, et al., to transfer of the following action to the United States District Court for the Eastern District of New York:

Southern District of Mississippi

Marie Hansen, et al. v. Dow Chemical Co., et al., C.A. No. 1:07-1188

**MDL No. 875 -- IN RE: ASBESTOS PRODUCTS LIABILITY LITIGATION (NO. VI)**

Oppositions of plaintiffs Jerry Dyer, et al.; Ted Munn, et al.; Rodney C. Ball, et al.; Phyllis Krause, etc.; Charles G. Papp, et al.; David A. Marley, et al.; and Todd Kortekamp, et al., to transfer of their respective following actions to the United States District Court for the Eastern District of Pennsylvania:

Central District of California

Jerry Dyer, et al. v. Alfa-Laval, Inc., et al., C.A. No. 2:07-7959  
Ted Munn, et al. v. CLA-VAL Co., et al., C.A. No. 2:08-248

Southern District of California

Rodney C. Ball, et al. v. Union Carbide Corp., et al., C.A. No. 3:07-2392

Middle District of Florida

Phyllis Krause, etc. v. Bondex International, Inc., et al., C.A. No. 8:07-1954

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MDL No. 875 (Continued)

Southern District of Florida

Charles G. Papp, et al. v. Alfa Laval, Inc., et al., C.A. No. 0:07-61827

David A. Marley, et al. v. Elliott Turbomachinery Co., Inc., et al., C.A. No. 1:07-23042

District of Rhode Island

Todd Kortekamp, et al. v. 3M Co., et al., C.A. No. 1:08-43

Opposition of defendant John Crane, Inc., to remand, under 28 U.S.C. § 1407(a), of the following action to the United States District Court for the Western District of Kentucky:

Eastern District of Pennsylvania

Robert Moeller, et al. v. Garlock Sealing Technologies, LLC, et al. (W.D. Kentucky,  
C.A. No. 3:07-65)

**MDL No. 1307 -- IN RE COLUMBIA/HCA HEALTHCARE CORP. QUI TAM  
LITIGATION (NO. II)**

Opposition of defendants Columbia/HCA Healthcare Corp.; Indian Path Hospital, Inc.; Superior Home Health of East Tennessee, Inc.; and Horizon Mental Health Management, Inc., to remand, under 28 U.S.C. § 1407(a), of the following action to the United States District Court for the Western District of Virginia:

District of District of Columbia

United States ex rel. Debra Hockett, M.D., et al. v. Columbia/HCA Healthcare Corp., et al., C.A. No. 1:99-3311 (W.D. Virginia, C.A. No. 1:97-29)

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**MDL No. 1535 -- IN RE: WELDING FUME PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Etienne Pellegal to transfer of the following action to the United States District Court for the Northern District of Ohio:

Eastern District of Louisiana

Etienne Pellegal v. Lincoln Electric Co., et al., C.A. No. 2:08-30

**MDL No. 1551 -- IN RE: RECIPROCAL OF AMERICA (ROA) SALES PRACTICES LITIGATION**

Motion of defendant General Reinsurance Corp. to transfer the following actions to the United States District Court for the Western District of Tennessee:

Middle District of Tennessee

State of Tennessee ex rel. Leslie A. Newman v. General Reinsurance Corp., et al.,  
C.A. No. 3:07-1112

State of Tennessee ex rel. Leslie A. Newman v. General Reinsurance Corp., et al.,  
C.A. No. 3:07-1113

State of Tennessee ex rel. Leslie A. Newman v. General Reinsurance Corp., et al.,  
C.A. No. 3:07-1114

**MDL No. 1626 -- IN RE: ACCUTANE PRODUCTS LIABILITY LITIGATION**

Opposition of defendants Hoffman-La Roche, Inc., and Roche Laboratories, Inc., to transfer of the following action to the United States District Court for the Middle District of Florida:

Northern District of Texas

George W. Hyde v. Hoffman-La Roche, Inc., et al., C.A. No. 3:04-1473

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**MDL No. 1718 -- IN RE: FORD MOTOR CO. SPEED CONTROL DEACTIVATION  
SWITCH PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs Janet Bramlage, et al.; State Farm Mutual Automobile Insurance Co., etc.; John Shaver, Jr., et al.; and Frank Harris to transfer of their respective following actions to the United States District Court for the Eastern District of Michigan:

Middle District of Florida

Janet Bramlage, et al. v. Ford Motor Co., C.A. No. 6:08-17

Northern District of Georgia

State Farm Mutual Automobile Insurance Co., etc. v. Ford Motor Co.,  
C.A. No. 1:07-3222

Southern District of Georgia

John Shaver, Jr., et al. v. Ford Motor Co., C.A. No. 2:08-22

Eastern District of North Carolina

Frank Harris v. Ford Motor Co., C.A. No. 5:08-7

**MDL No. 1721 -- IN RE: CESSNA 208 SERIES AIRCRAFT PRODUCTS LIABILITY  
LITIGATION**

Oppositions of defendant Cessna Aircraft Co. to transfer of the following actions to the United States District Court for the District of Kansas:

Southern District of New York

Emma Konstantinovna P'Yanina, et al. v. Cessna Aircraft Co., et al.,  
C.A. No. 1:07-10403

Western District of Washington

Daniel Jones, et al. v. Cessna Aircraft Co., et al., C.A. No. 2:07-1908  
Gary Smith, et al. v. Cessna Aircraft Co., et al., C.A. No. 2:07-1931

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MDL No. 1721 (Continued)

Western District of Washington (Continued)

Mitchell Raspberry, etc. v. Cessna Aircraft Co., et al., C.A. No. 2:07-2001  
Dennis Craig, et al. v. Cessna Aircraft Co., et al., C.A. No. 2:08-72  
Stephen L. Elsner, etc. v. Cessna Aircraft Co., et al., C.A. No. 2:08-135

**MDL No. 1784 -- IN RE: MCDONALD'S FRENCH FRIES LITIGATION**

Opposition of plaintiffs Deborah Adames, et al., to transfer of the following action to the United States District Court for the Northern District of Illinois:

District of New Jersey

Deborah Adames, et al. v. McDonald's Corp., C.A. No. 2:08-765

**MDL No. 1785 -- IN RE: BAUSCH & LOMB INC. CONTACT LENS SOLUTION PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Jose Erasmo Hinojosa to transfer of the following action to the United States District Court for the District of South Carolina:

Southern District of Texas

Jose Erasmo Hinojosa v. Bausch & Lomb, Inc., et al., C.A. No. 7:08-6

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**MDL No. 1810 -- IN RE: MERSCORP INC., ET AL., REAL ESTATE SETTLEMENT PROCEDURES ACT (RESPA) LITIGATION**

Oppositions of plaintiffs Leigh Breon and Robert L. Ward, Jr., to transfer of their respective following actions to the United States District Court for the Southern District of Texas:

Southern District of Georgia

Leigh Breon v. Georgia Bank & Trust Co. of Augusta, et al., C.A. No. 1:08-10  
Robert L. Ward, Jr. v. Wachovia Mortgage Corp., et al., C.A. No. 4:08-32

**MDL No. 1842 -- IN RE: KUGEL MESH HERNIA PATCH PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiffs Larry Palmer, et al.; Brian Sutton, et al.; and Andy Valence to transfer of their respective following actions to the United States District Court for the District of Rhode Island:

Central District of California

Larry Palmer, et al. v. Davol, Inc., et al., C.A. No. 8:08-220

Eastern District of California

Brian Sutton, et al. v. Davol, Inc., et al., C.A. No. 1:08-280

Eastern District of Louisiana

Andy Valence v. Jefferson Parish Hospital Service District No. 2, et al.;  
C.A. No. 2:08-1121

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**MDL No. 1845 -- IN RE: CONAGRA PEANUT BUTTER PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiffs Leann Causey Boyd, et al., to transfer of the following action to the United States District Court for the Northern District of Georgia:

Western District of Louisiana

Leann Causey Boyd, et al. v. ConAgra Foods, Inc., C.A. No. 1:08-258

**MDL No. 1871 -- IN RE: AVANDIA MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Mohinder Khanna to transfer of the following action to the United States District Court for the Eastern District of Pennsylvania:

Northern District of California

Mohinder Khanna v. SmithKline Beecham Corp., et al., C.A. No. 3:08-1131

**MDL No. 1907 -- IN RE: AURORA DAIRY CORP. ORGANIC MILK MARKETING AND SALES PRACTICES LITIGATION**

Opposition of plaintiff Theadora King to transfer of the following action to the United States District Court for the Eastern District of Missouri:

Northern District of California

Theadora King v. Safeway, Inc., C.A. No. 3:08-999

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**MDL No. 1909 -- IN RE: GADOLINIUM CONTRAST DYES PRODUCTS LIABILITY  
LITIGATION**

Oppositions of plaintiffs Priscilla Geffen, et al.; Irven S. Shelton, et al.; and Claudia Ethington, et al., to transfer of their respective following actions to the United States District Court for the Northern District of Ohio:

Central District of California

Priscilla Geffen, et al. v. General Electric Co., et al., C.A. No. 2:08-1110

Western District of Louisiana

Irven S. Shelton, et al. v. General Electric Co., et al., C.A. No. 2:07-1951

District of New Jersey

Claudia Ethington, et al. v. General Electric Co., et al., C.A. No. 3:07-5985

PROCEDURES FOR ORAL ARGUMENT BEFORE THE  
UNITED STATES JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

All oral argument is governed by the provisions of Rule 16.1 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation (effective April 2, 2001). Rule 16.1(g) allows a maximum of twenty minutes for oral argument in each matter. In most cases, however, less time is necessary for the expression of all views and the Panel reserves the prerogative of reducing the time requested by counsel. Accordingly, counsel should be careful not to overstate the time requested for oral argument.

The Panel insists that counsel limit all oral argument to the appropriate criteria. See generally In re "East of the Rockies" Concrete Pipe Antitrust Cases, 302 F. Supp. 244, 255-56 (J.P.M.L. 1969) (concurring opinion) (discussion concerning criteria for transfer).

Rule 16.1 is duplicated in its entirety hereafter for your convenience.

**RULE 16.1: HEARING SESSIONS AND ORAL ARGUMENT**

(a) Hearing sessions of the Panel for the presentation of oral argument and consideration of matters taken under submission without oral argument shall be held as ordered by the Panel. The Panel shall convene whenever and wherever desirable or necessary in the judgment of the Chairman. The Chairman shall determine which matters shall be considered at each hearing session and the Clerk of the Panel shall give notice to counsel for all parties involved in the litigation to be so considered of the time, place and subject matter of such hearing session.

(b) Each party filing a motion or a response to a motion or order of the Panel under Rules 7.2, 7.3, 7.4 or 7.6 of these Rules may file simultaneously therewith a separate statement limited to one page setting forth reasons why oral argument should, or need not, be heard. Such statements shall be captioned "Reasons Why Oral Argument Should [Need Not] Be Heard," and shall be filed and served in conformity with Rules 5.12 and 5.2 of these Rules.

(c) No transfer or remand determination regarding any action pending in the district court shall be made by the Panel when any party timely opposes such transfer or remand unless a hearing session has been held for the presentation of oral argument except that the Panel may dispense with oral argument if it determines that:

- (i) the dispositive issue(s) have been authoritatively decided; or
- (ii) the facts and legal arguments are adequately presented in the briefs and record, and the decisional process would not be significantly aided by oral argument.

Unless otherwise ordered by the Panel, all other matters before the Panel, such as a motion for reconsideration, shall be considered and determined upon the basis of the papers filed.

(d) In those matters in which oral argument is not scheduled by the Panel, counsel shall be promptly advised. If oral argument is scheduled in a matter the Clerk of the Panel may require counsel for all parties who wish to make or to waive oral argument to file and serve notice to that effect within a stated time in conformity with Rules 5.12 and 5.2 of these Rules. Failure to do so shall be deemed a waiver of oral argument by that party. If oral argument is scheduled but not attended by a party, the matter shall not be rescheduled and that party's position shall be treated as submitted for decision by the Panel on the basis of the papers filed.

(e) Except for leave of the Panel on a showing of good cause, only those parties to actions scheduled for oral argument who have filed a motion or written response to a motion or order shall be permitted to appear before the Panel and present oral argument.

(f) Counsel for those supporting transfer or remand under Section 1407 and counsel for those opposing such transfer or remand are to confer separately prior to the oral argument for the purpose of organizing their arguments and selecting representatives to present all views without duplication.

(g) Unless otherwise ordered by the Panel, a maximum of twenty minutes shall be allotted for oral argument in each matter. The time shall be divided equally among those with varying viewpoints. Counsel for the moving party or parties shall generally be heard first.

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(h) So far as practicable and consistent with the purposes of Section 1407, the offering of oral testimony before the Panel shall be avoided. Accordingly, oral testimony shall not be received except upon notice, motion and order of the Panel expressly providing for it.

(i) After an action or group of actions has been set for a hearing session, consideration of such action(s) may be continued only by order of the Panel on good cause shown.